



DECLARATION FOR PATENT APPLICATION

Inventor(s): Michael Grimwood, Jim Knittel, Paul Richardson,
Selim Shlomo Rakib, Paul Alan Lind, and Doug Artman
Docket No. TER-005

As a below-named inventor, I (We) hereby declare that:

My correct residence, post office address and citizenship are stated below next to my name.

I believe myself to be the original, first and sole inventor (if only one name is listed below) or an original and first joint inventor (if more than one name is listed below) of the subject matter which is disclosed and claimed and for which a patent is sought on the invention entitled: APPARATUS AND METHOD FOR SYNCHRONIZING AN SCDMA UPSTREAM TO AN MCNS DOWNSTREAM.

The specification of this subject matter:

- ☒ is attached hereto.
- ☐ was filed on _____;
- was assigned serial No. _____;
- which was amended on _____.

I hereby state that I have reviewed and understand the contents of the above identified patent application, including the claims, as amended by any amendment(s) referred to above. I believe the subject matter claimed in the above-identified application to be new and to be unobvious to persons of ordinary skill in the art in view of the prior art of which I am aware.

I further hereby state that the specification of the above identified patent application adequately describes how to make and use the claimed invention, and further that it sets forth the best mode for practicing the invention known to me as of the date that the application was filed. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. 1.56. I further acknowledge the duty to disclose information known to me to be material under 37 C.F.R. 1.56 to the examination of the claims in any continuation-in-part application filed under the conditions specified in 35 U.S.C. Section 120 which became available between the filing date of the prior application or the national or PCT international filing date and the filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

| | | | |
|-----------------|---------|-------------|------------------|
| Application No. | Country | Filing Date | Priority Claimed |
|-----------------|---------|-------------|------------------|

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in these prior United States application(s) in the manner provided by 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

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|-----------------|-------------|-------------------------------------|
| Application No. | Filing Date | Status (Issued, Pending, Abandoned) |
|-----------------|-------------|-------------------------------------|

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|---------------------------|--|--|----------------------------------|-------------------|
| FULL NAME OF INVENTOR 1 | FIRST Name MICHAEL | MIDDLE Initial(s) | LAST Name GRIMWOOD | |
| RESIDENCE AND CITIZENSHIP | City PALO ALTO | State or Foreign Country CALIFORNIA | Country of Citizenship U.S.A. | |
| POST OFFICE ADDRESS | Number and Street 839 E. MEADOW DRIVE | City PALO ALTO | State or Country CALIFORNIA | Zip Code 94303 |

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|---------------------------|--|--|----------------------------------|-------------------|
| FULL NAME OF INVENTOR 2 | FIRST Name JIM | MIDDLE Initial(s) | LAST Name KNITTEL | |
| RESIDENCE AND CITIZENSHIP | City CAMPBELL | State or Foreign Country CALIFORNIA | Country of Citizenship U.S.A. | |
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| | | | | |
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| FULL NAME OF INVENTOR 3 | FIRST Name PAUL | MIDDLE Initial(s) | LAST Name RICHARDSON | |
| RESIDENCE AND CITIZENSHIP | City SAN JOSE | State or Foreign Country CALIFORNIA | Country of Citizenship U.S.A. | |
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| | | | | |
|---------------------------|--|--|----------------------------------|-------------------|
| FULL NAME OF INVENTOR 4 | FIRST Name SELIM | MIDDLE Initial(s) SHLOMO | LAST Name RAKIB | |
| RESIDENCE AND CITIZENSHIP | City CUPERTINO | State or Foreign Country CALIFORNIA | Country of Citizenship ISRAEL | |
| POST OFFICE ADDRESS | Number and Street 23057 CRICKET HILL ROAD | City CUPERTINO | State or Country CALIFORNIA | Zip Code 95014 |

| | | | | |
|---------------------------|---------------------------------------|--|----------------------------------|-------------------|
| FULL NAME OF INVENTOR 5 | FIRST Name PAUL | MIDDLE Initial(s) ALAN | LAST Name LIND | |
| RESIDENCE AND CITIZENSHIP | City SANTA CRUZ | State or Foreign Country CALIFORNIA | Country of Citizenship U.S.A. | |
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| | | | | |
|---------------------------|--------------------------------------|--|----------------------------------|-------------------|
| FULL NAME OF INVENTOR 6 | FIRST Name DOUG | MIDDLE Initial(s) | LAST Name ARTMAN | |
| RESIDENCE AND CITIZENSHIP | City SAN JOSE | State or Foreign Country CALIFORNIA | Country of Citizenship U.S.A. | |
| POST OFFICE ADDRESS | Number and Street 1434 IRIS COURT | City SAN JOSE | State or Country CALIFORNIA | Zip Code 95125 |

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

Ronald C. Fish (28,843)

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Address all correspondence to Ronald Craig Fish

Falk, Vestal & Fish
16590 Oak View Circle
Morgan Hill, California 95037, U.S.A.
FAX No. (408) 776-0426

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Martin Shivol 05/12/98
Signature of Inventor 1 Date

J. Kline 5/12/98
Signature of Inventor 2 Date

Paul Richard 05/12/98
Signature of Inventor 3 Date

Del 72 5/12/98
Signature of Inventor 4 Date

Paul Alan Shivol 5/12/98
Signature of Inventor 5 Date

Douglas 5/12/98
Signature of Inventor 6 Date



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Michael Grimwood, Jim Knittel,
Paul Richardson, Selim Shlomo Rakib,
Paul Alan Lind, and Doug Artman

Serial No.: unknown

Filed: herewith

For: APPARATUS AND METHOD FOR SYNCHRONIZING AN SCDMA UPSTREAM TO AN MCNS
DOWNSTREAM

) Art Unit: unknown
)
) Examiner: unknown
)
) Docket No: TER-005
)
)
)

Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231

VERIFIED STATEMENT (DECLARATION) CLAIMING
SMALL ENTITY STATUS (37 C.F.R. 1.9(f) and 1.27(c))
SMALL BUSINESS CONCERN

I hereby declare that I am

☐ the owner of the small business concern identified below:

☒ an official of the small business concern identified below and empowered to act on its behalf.

NAME OF BUSINESS: TERAYON COMMUNICATION SYSTEMS

ADDRESS OF BUSINESS: 2952 Bunker Hill Lane, Santa Clara, California 95054

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed, to and remain with the small business concern identified above with regard to the invention, entitled:

APPARATUS AND METHOD FOR SYNCHRONIZING AN SCDMA UPSTREAM TO AN MCNS
DOWNSTREAM

by inventor(s): Michael Grimwood, Jim Knittel, Paul Richardson, Selim Shlomo Rakib,
Paul Alan Lind, and Doug Artman

described in:

- ☒ the specification filed herewith
- ☐ application Serial No. _____, filed _____.
- ☐ patent No. _____, issued _____.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than an inventor who qualifies as an individual inventor pursuant to 37 C.F.R. §1.9(c), who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).*

*Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

FULL NAME:

ADDRESS:

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME:

ADDRESS:

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME:

ADDRESS:

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which the verified statement is directed.

LINDA PALMOR


Name of Person Signing

Vice President - Finance

Title of Person Signing

2952 BUNKER HILL LANE, SANTA CLARA, CALIFORNIA 95054

Address of Company



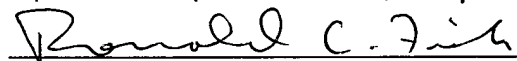
Signature

5/12/98

Date

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed: Box Patent Application, Commissioner of Patents and Trademarks, Washington D.C. 20231 on (Date Of Deposit) JULY 9, 1998

Express Mail Receipt Number: EM163647584US



Ronald Craig Fish, President

Ronald Craig Fish a Law Corporation

Reg. No. 28,843